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DATE: April 19, 2007

NO. OF PAGES (INCLUDING THIS PAGE): 18

FOR: Examiner Prone - Art Unit 3738

COMPANY: USPTO

FAX No.: 571-273-6085

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ORIGINAL WILL FOLLOW BY:

- ☐ REGULAR MAIL
☐ OVERNIGHT MAIL
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☒ WILL NOT FOLLOW

FROM: Brent G. Seitz --- 248-641-1262

Please let us know by phone or fax if you do not receive any of these pages.

COMMENTS:

Examiner Prone:

Further to our telephone discussion today, attached are the documents we filed on April 12, 2007. Please feel free to contact me with any questions that you might have. Thank you.

Application No.: 10/614,550
Filing Date: July 7, 2003
Applicants: Robert G. Metzger et al.
Group Art Unit: 3738
Examiner: Christopher D. Prone
Title: ELONGATED FEMORAL COMPONENT
Attorney Docket: 5490-000209/CPA

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PATENT**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Application No.: 10/614,550
Filing Date: July 7, 2003
Applicants: Robert G. Metzger et al.
Group Art Unit: 3738
Examiner: Christopher D. Prone
Title: ELONGATED FEMORAL COMPONENT
Attorney Docket: 5490-000209/CPA

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

CORRECTION OF INVENTORSHIP PURSUANT TO 37 C.F.R. 1.48(b);
REQUEST FOR AMENDED OFFICIAL FILING RECEIPT;
SUPPLEMENTAL APPLICATION DATA SHEET

Dear Sir:

Pursuant to 37 C.F.R. 1.48(b), Applicants respectfully request amendment of the inventorship of this application. Specifically, Applicants request deletion of Thomas Donaldson as an inventor. Deletion of Mr. Donaldson as an inventor is necessary because he did not contribute to the currently claimed subject matter.

The currently claimed subject matter, Claims 29-31 of the Supplemental Amendment filed herewith, includes only subject matter of the application as originally filed on May 15, 2001. Only Robert Metzger and Troy Hershberger are inventors of the subject matter of the original application filed on May 15, 2001. Thomas Donaldson is not an inventor of the subject matter of the application filed May 15, 2001.

The processing fee set forth in Section 1.17(i) is enclosed.

Due to the change in inventorship, Applicants respectfully request issuance of a corrected filing receipt that does not include Mr. Donaldson as an inventor.

Applicants also now enclose a Supplemental Application Data Sheet that deletes Mr. Donaldson as an inventor.

Respectfully submitted,

Dated: Apr 12, 2007

By: 

Richard W. Warner
Reg. No. 38,043
Attorney for Applicants

HARNESS, DICKEY & PIERCE, P.L.C.
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(248) 641-1600

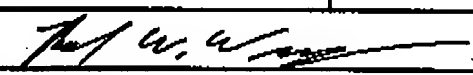
PTO/SB/21 (04-04)


Approved for use through 07/31/2008. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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TRANSMITTAL FORM <i>(to be used for all correspondence after initial filing)</i>	Application Number	10/614,550
	Filing Date	July 7, 2003
	First Named Inventor	Robert G. Metzger
	Art Unit	3738
	Examiner Name	Christopher D. Prone
Total Number of Pages in This Submission	Attorney Docket Number	5490-000209/CPA

ENCLOSURES (check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form <input checked="" type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment / Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input checked="" type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to Technology Center (TC) <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Correction of Inventorship Pursuant to 37 CFR 1.48(b); Request for Amended Official Filing Receipt; and Supplemental Application Data Sheet; Form 1449; Return Postcard
Remarks: The Commissioner is hereby authorized to charge any additional fees that may be required under 37 CFR 1.16 or 1.17 to Deposit Account No. 08-0750. A duplicate copy of this sheet is enclosed.		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT			
Firm or Individual name	Harness, Dickey & Pierce, P.L.C.	Attorney Name	Richard W. Warner
Signature			
Date	April 12, 2007		

CERTIFICATE OF TRANSMISSION/MAILING			
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.			
Typed or printed name	Richard W. Warner	Express Mail Label No.	EV522876481US
Signature		Date	April 12, 2007

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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FEE TRANSMITTAL for FY 2007

Effective 2/8/2006. Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$) 130

Complete if Known

Application Number 10/814,550
Filing Date July 7, 2003
First Named Inventor Matzger et al.
Examiner Name Christopher D. Prone
Art Unit 3738
Attorney Docket No. 5490-000209/CPA

METHOD OF PAYMENT (check all that apply)

☒ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None

☒ Deposit Account:

Deposit
Account
Number

08-0760

Deposit
Account
Name

Harness, Dickey & Pierce, PLC

The Director is authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☒ Credit any overpayments
☒ Charge any additional fee(s) during the pendency of this application
☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

FEE CALCULATION

1. BASIC FILING FEE

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1011	300	2011	160	Utility filing fee	
1012	200	2012	100	Design filing fee	
1013	200	2013	100	Plant filing fee	
1014	300	2014	150	Reissue filing fee	
1005	200	2005	100	Provisional filing fee	
SUBTOTAL (1)					(5) 0

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims		Extra Claims		Fee from below		Fee Paid	
Independent Claims							
Multiple Dependent							

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1202	50	2202	25	Claims in excess of 20	
1201	200	2201	100	Independent claims in excess of 3	
1203	360	2203	180	Multiple dependent claim, if not paid	
1204	200	2204	100	** Reissue independent claims over original patent	
1205	50	2205	25	** Release claims in excess of 20 and over original patent	

SUBTOTAL (2) (\$) 0

*or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1061	130	2061	66	Surcharge - late filing fee or oath	
1062	50	2062	26	Surcharge - late provisional filing fee or cover sheet	
1053	130	1053	130	Non-English specification	
1812	2,520	1812	2,520	For filing a request for reexamination	
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
1251	120	2251	60	Extension for reply within first month	
1252	460	2252	226	Extension for reply within second month	
1253	1020	2253	510	Extension for reply within third month	
1254	1,690	2254	795	Extension for reply within fourth month	
1255	2,180	2255	1090	Extension for reply within fifth month	
1401	600	2401	250	Notice of Appeal	
1402	600	2402	250	Filing a brief in support of an appeal	
1403	1000	2403	600	Request for oral hearing	
1462	500	2462	250	Petition to revive - unavoidable	
1463	1600	2463	750	Petition to revive - unintentional	
1462	400	1462	400	Petition fee under 37 CFR 1.17(f)	
1463	200	1463	200	Petition fee under 37 CFR 1.17(g)	
1464	130	1464	130	Petition fee under 37 CFR 1.17(h)	
1807	50	1807	50	Processing fee under 37 CFR 1.17 (q)	
1808	180	1808	180	Submission of Information Disclosure Sheet	
8021	40	8021	40	Recording each patent assignment per property (Times number of properties)	
1809	790	2809	385	Filing a submission after final rejection (37 CFR § 1.129(a))	
1810	790	2810	395	For each additional invention to be examined (37 CFR § 1.129(b))	
1801	790	2801	395	Request for Continued Examination (RCE)	
Other fee (specify) Correction of Inventorship 37 CFR 1.17(n)					130
*Reduced by Basic Filing Fee Paid SUBTOTAL (3)					(5) 130

4. SEARCH/EXAMINATION FEES

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1111	600	2111	250	Utility Search Fee	
1112	100	2112	50	Design Search Fee	
1113	300	2113	150	Plant Search Fee	
1114	500	2114	250	Reissue Search Fee	
1311	200	2311	100	Utility Examination Fee	
1312	130	2312	65	Design Examination Fee	
1313	180	2313	80	Plant Examination Fee	
1314	600	2314	300	Reissue Examination Fee	
SUBTOTAL (4)					(5) 0

SUBMITTED BY

Name (Print/Type) Richard W. Warner Registration No. (Attorney/Agent) 38,043 Telephone 248-641-1600
Signature [Signature] Date April 12, 2007

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